

§ 250.1925 May BSEE direct me to conduct additional audits?

(a) If BSEE identifies safety or non-compliance concerns based on the results of our inspections and evaluations, or as a result of an event, BSEE may direct you to have an independent third-party audit of your SEMS program, in addition to the regular audit required by § 250.1920, or BSEE may conduct an audit.

(1) If BSEE direct you to have an independent third-party audit,

(i) You are responsible for all of the costs associated with the audit, and

(ii) The independent third-party audit must meet the requirements of § 250.1920 of this part and you must ensure that the independent third party submits the findings and conclusions of a BSEE-directed audit according to the requirements in § 250.1920 to BSEE within 30 days after the audit is completed.

(2) If BSEE conducts the audit, BSEE will provide a report of the findings and conclusions within 30 days of the audit.

(b) Findings from these audits may result in enforcement actions as identified in § 250.1927.

(c) You must provide the BSEE a copy of your plan for addressing the deficiencies identified in the BSEE-directed audit within 30 days of completion of the audit as required in § 250.1920.

§ 250.1926 What qualifications must an independent third party or my designated and qualified personnel meet?

(a) You must either choose an independent third-party or your designated and qualified personnel to audit your SEMS program. You must take into account the following qualifications when selecting the third-party or your designated and qualified personnel:

(1) Previous education and experience with SEMS, or similar management related programs.

(2) Technical capabilities of the individual or organization for the specific project.

(3) Ability to perform the independent third-party functions for the specific project considering current commitments.

(4) Previous experience with BSEE regulatory requirements and procedures.

(5) Previous education and experience to comprehend and evaluate how the company's offshore activities, raw materials, production methods and equipment, products, byproducts, and business management systems may impact health and safety performance in the workplace.

(b) You must have procedures to avoid conflicts of interest related to the development of your SEMS program and the independent third party auditor and your designated and qualified personnel.

(c) BSEE may evaluate the qualifications of the independent third parties or your designated and qualified personnel. This may include an audit of documents and procedures or interviews. BSEE may disallow audits by a specific independent third-party or your designated and qualified personnel if they do not meet the criteria of this section.

§ 250.1927 What happens if BSEE finds shortcomings in my SEMS program?

If BSEE determines that your SEMS program is not in compliance with this subpart we may initiate one or more of the following enforcement actions:

(a) Issue an Incident(s) of Noncompliance;

(b) Assess civil penalties; or

(c) Initiate probationary or disqualification procedures from serving as an OCS operator.

§ 250.1928 What are my recordkeeping and documentation requirements?

(a) Your SEMS program procedures must ensure that records and documents are maintained for a period of 6 years, except as provided below. You must document and keep all SEMS audits for 6 years and make them available to BSEE upon request. You must maintain a copy of all SEMS program documents at an onshore location.

(b) For JSAs, the person in charge of the activity must document the results of the JSA in writing and must ensure that records are kept onsite for 30 days. You must retain these records for